1		
2		
3		
4		
5	IN THE UNITED STATES DISTRICT COURT	
6	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
7	TOR THE NORTHERN DISTRICT OF CALIFORNIA	
8		
9	WAYMO LLC,	No. C 17-00939 WHA
10	Plaintiff,	
11	V.	
12	UBER TECHNOLOGIES, INC.; OTTOMOTTO LLC; and OTTO	AMENDED FINAL
13	OTTOMOTTO LLC; and OTTO TRUCKING LLC,	PRETRIAL ORDER
14	Defendants.	
15	/	

FOR GOOD CAUSE and after a final pretrial conference, the following constitutes the final pretrial order and rulings on motions *in limine*:

- 1. This case shall go to a JURY TRIAL on FEBRUARY 5, 2018, at 7:30 A.M., and shall continue until completed on the schedule discussed at the conference. The issues to be tried shall be those set forth in the joint proposed pretrial order except to the extent modified by orders *in limine*. This final pretrial order supersedes the complaint and answer. Only issues expressly identified for trial remain in the case.
- 2. Rulings on the motions *in limine* are as stated in prior orders, including the prior final pretrial order (Dkt. No. 1885), and as stated on the record at the final pretrial conference on January 30, 2018.
- 3. Except for good cause, each party is limited to the witnesses and exhibits disclosed in the joint proposed pretrial order less any excluded or limited by orders *in limine*. Materials or witnesses used solely for impeachment need not be disclosed and may be used, subject to the Federal Rules of Evidence.

For the Northern District of California

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

- 4. The stipulations of facts set forth in the joint proposed pretrial order are approved and binding on all parties.
 - 5. A jury of TEN PERSONS shall be used.
- 6. Each side shall have SIXTEEN HOURS to examine witnesses (including direct examination, cross-examination, re-direct examination, re-cross examination, etc.). Each side shall also have **ONE HOUR AND TEN MINUTES** to present opening statements. Time allocated for closing arguments shall not count against these limits. If one side runs out of time despite being efficient, non-duplicative, and non-argumentative in the use of the allotted time, and it would be a miscarriage of justice to hold that side to these limits, then more time will be allotted.
- 7. The parties shall follow the Court's current Guidelines for Trial and Final Pretrial Conference in Civil Jury Cases, separately provided and available on the Internet at http://www.cand.uscourts.gov, which guidelines are incorporated as part of this order.

IT IS SO ORDERED.

Dated: February 4, 2018.

United States District Judge